



Housing Plan Implementation Committee

Date: February 4, 2021

Time: 7:30 PM to 8:30 PM

Location: Virtual Meeting via Zoom

Minutes

Present: Ben Bradlow, Pam Hallett, Jonathan Nyberg, Jenny Raitt, Michelle Shortsleeve, Patricia Worden, Erin Zwirko.

Guests: Wynelle Evans, Len Diggins, Eric Helmuth, Jo Anne Preston, Don Seltzer, Phil Tedesco, Barbara Thornton, Carl Wagner, John Worden.

The first item on the agenda was an opportunity for the HPIC to hear from Barbara Thornton. Barbara has submitted a warrant article to allow accessory dwelling units (ADUs), and she appreciated the opportunity to hear from the Committee regarding the article. Barbara noted that she plans to write her main motion so that it is consistent with the recently signed law allowing a majority vote rather than a two-thirds vote of the legislative body, in this case Town Meeting. The Committee members had the following comments:

Patricia noted that the matter of ADUs has been settled. Town Meeting has voted previously to not approve ADUs. She stated that ADUs are damaging to the Town in terms of affordability and the environment. She stated that ADUs will end the existing single-family zoning and create neighborhoods where people don't know their neighbors. She stated that Inspectional Services has indicated that ADUs are not a good choice as Inspectional Services cannot enforce against code and zoning violations.

Pam noted her support for ADUs. She thought that a bylaw needs to be expansive and not require a residency requirement. Her organization, the Housing Corporation of Arlington, would like to create ADUs but cannot because of the residency requirement. She also stated that the units should be affordable utilizing the fair market rents developed by HUD.

Michelle indicated that there are strong differences between two-family zoning and ADUs. ADUs are restricted to a certain gross floor area and cannot be condo-ized.

Ben thought it would be worth having a limit on the rent for an ADU. He recommended that the article be very explicit on what is allowed and what is not allowed.

Jonathan indicated that ADUs are a great concept. Adopting a bylaw for ADUs will not change the character of the community that should be embracing this style of housing.

The second item on the agenda was to review the real estate transfer fee home rule petition. Erin provided an updated main motion following her review of the previous draft from 2020 and the Consensus Bill that will be filed in the Legislature to create a local option. Erin also provided sales data information updated for 2020, with an estimated amount of revenue at different thresholds and percentages.

The Committee discussed the threshold, the percentage, and the responsible party. Michelle thought that the statewide median single-family sale price is too low as a threshold. She would advocate to using the Arlington median or the 75th percentile. Ben recommended staying close to the local option and starting at a low percentage with no exemptions. He did not think it would matter if the responsible party were the buyer or the seller; it would just be incorporated in the sales price. Jonathan recommended being more inclusive. Ben encouraged the Committee to seek authorization for a range, so that there is flexibility to enact the fee if the home rule petition were passed by the Legislature.

Pam and Michelle agreed with the points brought up by Ben and Jonathan. Patricia believed there should be protection and proper emphasis on low- to moderate-income households. She recommended that the percentage start at 0.05%. Ben disagreed with starting at a lower percentage. He noted that many other jurisdictions and countries assess a stamp tax of up to 10% on sales.

Erin asked the Committee their thoughts on certain protections for owned-occupied units and whether there should be a higher fee on speculative purchases (flips). Pam did not think an owner-occupied exemption would be necessary as it would exempt most of Arlington. Jonathan urged caution about a higher fee on speculative purchases; he stated that they increase the tax base. Other committee members did not think that these items needed to be included in the main motion.

The Committee recognized Don to provide some of the highlights that he found while looking at the sales data. He also called out what he thought might be an error. The draft main motion includes a statement about assessing the fee on the portion of the sales price above the statewide median. Erin indicated it was an editing error. The intention is to assess the fee on the full sales price.

Erin provided an update about planning for an informational forum. She is looking at March 4th, which is the next meeting date. She has a commitment from colleagues in Concord and Somerville to participate. If the forum lands on March 4th, Erin will reschedule the next HPIC meeting.

The meeting summaries from January 7 and January 20 were approved.

The meeting adjourned at 8:30 PM.